

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASTELLAS INSTITUTE FOR REGENERATIVE
MEDICINE, and STEM CELL & REGENERATIVE
MEDICINE INTERNATIONAL, INC.,

Plaintiffs and Counterclaim-Defendants,

v.

IMSTEM BIOTECHNOLOGY, INC., XIAOFANG
WANG, and REN-HE XU,

Defendants and Counterclaim-Plaintiffs.

C.A. NO. 1:17-cv-12239-ADB

**ASSENTED-TO MOTION FOR LEAVE TO FILE
PLAINTIFFS' MOTION TO AMEND COMPLAINT
(AND CERTAIN SUPPORTING DOCUMENTS) UNDER SEAL**

Plaintiffs Astellas Institute for Regenerative Medicine and Stem Cell & Regenerative Medicine International, Inc. respectfully move, pursuant to Local Rule 7.2 and the Protective Order in this action (Doc. No. 55), to seal Plaintiffs' forthcoming Motion to Amend Complaint, and certain exhibits to the Declaration of Lauren Sharkey in support thereof.

Pursuant to the Protective Order entered in this case, parties may designate technical or commercially sensitive and confidential information as "Confidential" or "Highly Confidential." Such information may not be disclosed publicly without a court order. (Doc. No. 55, Section V.B). Plaintiffs seek leave to file under seal ten or fewer emails between Plaintiffs and Defendants and excerpts of deposition transcripts from Drs. Xu, Wang, Kimbrel and Lanza in connection with the Sharkey declaration, all of which have been designated as Confidential or Highly Confidential. In addition, Plaintiffs seek leave to file under seal Plaintiffs' Motion to Amend Complaint, and to file a redacted version of same publicly. The Motion reveals throughout its text the contents of the foregoing materials that have been designated Confidential or Highly Confidential under the Protective Order.

Counsel for Plaintiffs has conferred with counsel for Defendants who has indicated that Defendants assent to the motion but that Defendants are honoring the document designations (which requires a filing under seal) and are not waiving their rights to challenge the designation as to excerpts of documents or to documents in their entirety at a later point.

WHEREFORE, Plaintiffs respectfully request the Court grant this Motion seeking leave to file said documents under seal.

Dated: September 10, 2019

Respectfully submitted,

/s/ Charles H. Sanders
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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I hereby certify that counsel for all parties have conferred and Defendants assent to this motion.

/s/ Charles H. Sanders
Charles H. Sanders

CERTIFICATE OF SERVICE

I hereby certify that this document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent via first class mail on September 10, 2019 to those identified as non-registered participants.

/s/ Charles H. Sanders
Charles H. Sanders